

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

DYNAENERGETICS EUROPE GMBH and)	
DYNAENERGETICS US, INC.,)	
)	
Plaintiffs,)	
)	Civil Action No: 4:20-cv-02123
v.)	
)	JURY TRIAL DEMANDED
HUNTING TITAN, INC.,)	
)	
Defendant.)	
)	

**DECLARATION OF RYAN E. DORNBERGER IN SUPPORT OF DEFENDANT
HUNTING TITAN, INC.'S MOTION FOR LEAVE TO AMEND**

I, Ryan E. Dornberger, having personal knowledge of the facts stated herein, state as follows:

1. I am one of the attorneys representing Defendant Hunting Titan, Inc. (“Hunting Titan”). I submit this Declaration in support of Hunting Titan’s Motion for Leave to Amend its Answer and Counterclaims to Assert an Additional Inequitable Conduct Defense.
2. Attached as **Exhibit 1** is a true and correct excerpt of the Deposition Transcript of Thilo Scharf, dated December 22, 2021.
3. Attached as **Exhibit 2** is a true and correct copy of Exhibit 290 to the March 1, 2022 Deposition of Thilo Scharf (DYNA_00218851).
4. Attached as **Exhibit 3** is a true and correct excerpt of the Deposition Transcript of Thilo Scharf, dated March 1, 2022.
5. Attached as **Exhibit 4** is a true and correct copy of Exhibit 12 to the December 21, 2021 Deposition of Liam McNelis (DYNA_00003277).

6. Attached as **Exhibit 5** is a true and correct copy of Exhibit 301 to the March 3, 2022 Deposition of Liam McNelis (DYNA_00218620).

7. Attached as **Exhibit 6** is a true and correct copy of Exhibit 300 to the March 3, 2022 Deposition of Liam McNelis (DYNA_00218665).

8. Attached as **Exhibit 7** is a true and correct excerpt of the Deposition Transcript of Frank Preiss, dated March 8, 2022.

9. Attached as **Exhibit 8** is a true and correct excerpt of the prosecution history for the '938 Patent.

10. Attached as **Exhibit 9** is a true and correct copy of a letter from Barry Herman dated January 25, 2022.

11. Attached as **Exhibit 10** is a true and correct copy of a letter from Barry Herman dated February 11, 2022.

12. Attached as **Exhibit 11** is a true and correct copy of an e-mail from Preston Heard dated February 28, 2022.

13. Attached as **Exhibit 12** is a true and correct copy of a letter from Charles Baker dated January 19, 2022.

14. Attached as **Exhibit 13** is a true and correct copy of Exhibit 27 to the December 22, 2021 deposition of Thilo Scharf (DYNA_00206766).

15. Attached as **Exhibit 14** is a true and correct copy of Exhibit 293 to the March 1, 2022 deposition of Thilo Scharf (DYNA_00217625).

16. Attached as **Exhibit 15** is a true and correct copy of Exhibit 289 to the March 1, 2022 deposition of Thilo Scharf (DYNA_00218849).

17. Attached as **Exhibit 16** is a true and correct copy of a letter from Barry Herman dated January 28, 2022.

18. Attached as **Exhibit 17** is a true and correct copy of Hunting Titan's proposed amended answer and counterclaims.

19. Attached as **Exhibit 18** is a true and correct copy of the track change version of Hunting Titan's proposed amended answer and counterclaims.

20. Attached as **Exhibit 19** is a true and correct copy of Contour IP Holding, LLC v. GoPro, Inc., No. 3:17-cv-04738, 2021 WL 5178806 (N.D. Cal. Nov. 8, 2021).

I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: April 26, 2022

By: /s/ Ryan E. Dornberger

Ryan E. Dornberger